

AS

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-207-C - ORDER NO. 96-607
AUGUST 29, 1996

IN RE: Request of GTE South, Inc. for Approval) ORDER
of Revisions to its General Customer) GRANTING
Services Tariff Removing Resale) RELIEF
Prohibition Applicable to 1+ IntraLATA)
Toll (REF: TN 96-184).)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of GTE South, Inc. (GTE or the Company) for approval of revisions to its General Customer Services Tariff. The purpose of the filing is to remove resale prohibitions applicable to intraLATA toll service.

Subsequently, the Commission's Executive Director informed GTE that no publication of notice was necessary, due to the existence and availability of the Commission Filing Subscription Service. Anyone who so requests may obtain a Notice of Filing subsequent to review of items published in the Service.

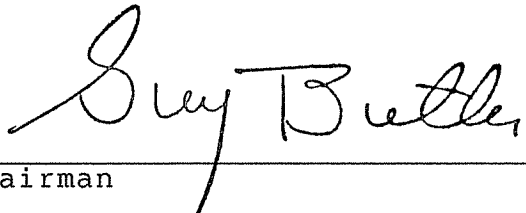
Subsequently, AT&T Communications of the Southern States, Inc. (AT&T) intervened in the matter. AT&T and GTE then entered into a Stipulation in this Docket, which would allow AT&T to withdraw its intervention. A copy the Stipulation is attached hereto as Attachment #1.

The Commission has reviewed the contents of the Stipulation and finds it fair and reasonable, and hereby adopts it. At the

same time, we grant the request of AT&T to withdraw its intervention from this Docket. We also approve the tariff as proposed by GTE. Also, the hearing scheduled in this matter is cancelled.

This Order shall remain in full force and effect until further Order of the Commission.

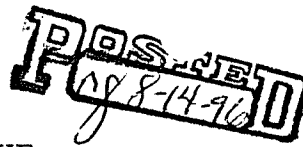
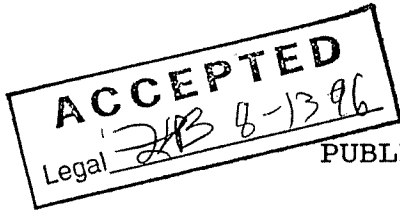
BY ORDER OF THE COMMISSION:


Chairman

ATTEST:

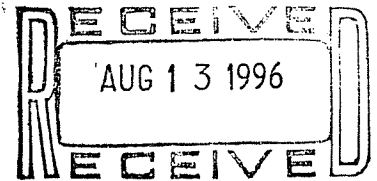

Executive Director

(SEAL)



Attachment 1

S.C. PUBLIC SERVICE COMMISSION



BEFORE THE

PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

IN RE:

General Services Tariff by GTE South,)
Incorporated -- Amendments to Removing)
Resale Prohibitions on 1+ IntraLATA)
Toll.)

STIPULATION

Docket No. 96-207-C

1. Heretofore, on May 20, 1996, GTE South Incorporated ("GTE") filed with the Public Service Commission of South Carolina ("Commission") revisions to its General Customer Services Tariff. GTE's said tariff contained certain prohibitions against resale applicable to 1+ intraLATA toll. By its filing, GTE proposes: 1.) to remove the said prohibitions; and 2.) when Long Distance Message Telecommunications Service is provided for resale, to price this wholesale service by applying a 5% discount to its retail rates.

2. With regard to the pricing of services for resale, the Telecommunications Act of 1996 ("Federal Act") provides, in pertinent part, as follows:

Sec. 251(b) OBLIGATIONS OF ALL LOCAL EXCHANGE CARRIERS. Each local exchange carrier has the following duties:

(1) RESALE. -- The duty not to prohibit and not to impose unreasonable or discriminatory conditions or limitations on the resale of its telecommunications services.

...

(c) ADDITIONAL OBLIGATIONS OF INCUMBENT LOCAL EXCHANGE CARRIERS. -- In addition to the duties contained in subsection (b), each incumbent local exchange carrier has the following duties:

...

(4) RESALE. -- The duty -

(A) to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carriers; and

(B) not to prohibit, and not to impose unreasonable or discriminatory conditions or limitations on, the resale of such telecommunications service....

The Federal Act further provides in Section 252 as follows:

(d) PRICING STANDARDS. --

...

(3) WHOLESALE PRICES FOR TELECOMMUNICATIONS SERVICES. -- For the purposes of Section 251(c)(4), a State commission shall determine wholesale rates on the basis of retail rates charged to subscribers for the telecommunications service requested, excluding the portion thereof attributable to any marketing, billing, collection, and other costs that would be avoided by the local exchange carrier.

3. AT&T has informed GTE of AT&T's belief that an analysis of cost study data is applicable and necessary in setting wholesale prices as required by the Federal Act. AT&T believes that this information must be utilized in determining what avoided cost should be subtracted from retail rates in establishing wholesale prices.

4. In order to avoid AT&T's intervention with regard to its tariff filing, and to permit prompt review of its said tariff by the Commission, GTE provides to AT&T the following assurances and stipulates:

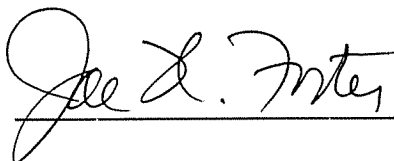
(A) In any future negotiation (and conceivably mediation and arbitration) of rates, as contemplated by the Federal Act, specifically including wholesale prices for telecommunications services, referred to above, GTE will not assert that its said tariff is a binding precedent upon AT&T or that the 5% discount from retail rates, in pricing wholesale services, is an appropriate calculation of avoided costs under said tariff. The Commission approval, sought for a discount in this matter, will be used until negotiated rates (including avoided costs) are achieved.

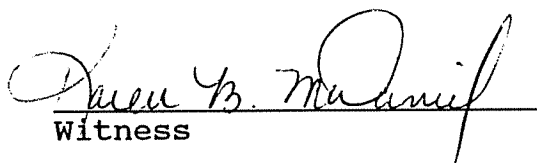
(B) GTE will negotiate (and, if necessary, mediate and arbitrate) in good faith with AT&T, in calculating avoided costs to be utilized in determining the appropriate rates for wholesale services.

These Stipulations and Assurances are given this 26th day of July, 1996.

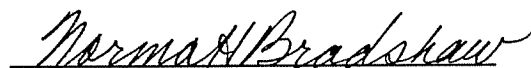
GTE South Incorporated

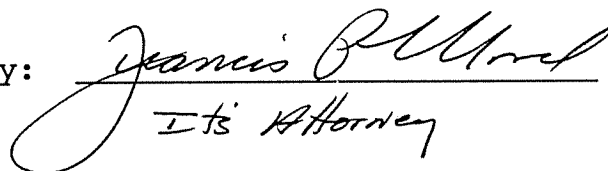

Witness

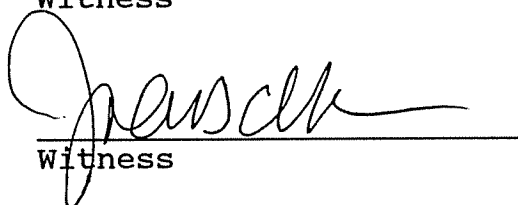
By: 


Witness

AT&T of the Southern States, Inc.


Witness

By: 
Its Attorney


Witness

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
Docket No. 96-207-C

IN RE:)	
General Services Tariff by GTE South,)	
Incorporated -- Amendments to Removing)	CERTIFICATE OF
Resale Prohibitions on 1+ IntraLATA Toll.)	SERVICE
)	

The undersigned employee of Sinkler & Boyd, P.A. hereby certifies that she has this 13th day of August 1996, caused a copy of AT&T's Stipulation in the above-referenced matter to be served by U.S. mail on the parties of record in Docket No. 96-207-C whose names appear below.

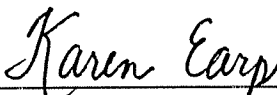
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Karen W. Earp

August 13, 1996